

Ordinance 10.06

Junk, Certain Vehicles and Firewood

Section I. JUNK, CERTAIN VEHICLES AND FIREWOOD.

The following are hereby declared to be public nuisances whenever they may be found within the Village:

A. **Definitions:**

1. **Disassembled, Inoperable, Junked or Wrecked Motor Vehicles, Truck bodies, Tractors, Trailers.** Motor vehicles, truck bodies, truck accessories (such as truck caps, truck campers, etc.), semi-tractors or semi-trailers in such state of physical or mechanical ruin as to be incapable of propulsion or being operated upon the public streets or highways.
2. **Unlicensed Motor Vehicles, Truck Bodies, Tractors or Trailers.** Motor vehicles, truck bodies, semi-tractors or semi-trailers which do not bear lawful current license plates.
3. **Motor Vehicle.** As defined in §340.01 (35), Wisconsin Statutes.
4. **In the Open.** Land which may be viewed from public streets or adjoining property and is not effectively screened from such view by a fence, hedge or other similar means.
5. **Front Yards.** The space from the front face of the house to the street.

B. **Any motor vehicle, truck body, tractor or trailer as enumerated below.**

1. **Storage of Inoperable Vehicles, etc. Restricted.** No person shall accumulate, store or allow any disassembled, inoperable, junked or wrecked motor vehicle, truck bodies, semi-tractors, semi-trailers or any other motorized vehicle in the open upon any public or private property in the Village for a period exceeding 30 days, except:
 - a. Upon receipt of a permit issued by the Village Board which shall be signed by the Village President and the Village Clerk, and shall specify the quantity and manner of storing the vehicle, length of time to be stored, and a description of the vehicle.
 - b. Any business engaged in automotive sales or repair in a properly zoned district may retain no more than 3 disassembled or wrecked vehicles, including vehicles under repair, in the open for a period not to exceed 30 days, after which such vehicles shall be removed.
2. **Storage of Unlicensed Vehicles, etc. Restricted.** No person shall accumulate, store or allow any unlicensed motor vehicle, truck body, semi-tractor, semi-trailer or any other motorized vehicle in the open upon any public or private property in the Village for a period exceeding 10 days except:
 - a. Upon receipt of a permit issued by the Village Board and signed by the Village President and the Village Clerk and shall specify the quantity and manner of storing the vehicle, length of time to be stored, and a description of the vehicle.
 - b. Any business engaged in the sale, repair or storage of such unlicensed vehicles in a properly zoned district.
 - c. Garden tractors and mowers may be stored in the rear yard not less than 5 feet from any property line and need not be shielded from view.

- C. **Storage of Junk, etc. Prohibited.** No person shall accumulate, store or allow any junk outside of any building on any public or private real estate located in the Village. Junk shall include all items that are

worn out or discarded material including, but not limited to, household appliances or parts thereof, machinery and equipment or parts thereof, vehicles or parts thereof, tools, discarded building materials, pallets, metal, paper, rags or any other unsightly debris, the accumulation of which is unsightly to, incompatible with or repugnant to the neighborhood or has an adverse effect upon neighborhood or Village property values, health, safety or general welfare. Building materials which are a result of an improvement or construction project where a building permit was required and issued may be held no longer than the term of the building permit. Refer also to Ordinance 10.05, Section I, paragraph 17.

- D. **Storage of Firewood Regulated.** No person shall store firewood on any residential premise except for use on the premises. No firewood pile may be located within the front yard or within 5 feet of any side or rear property line except:
1. Any firewood pile located contrary to the provisions of paragraph D above on the effective date of this subsection need not be moved to a place of compliance until one year after enactment of this ordinance.
 2. If blocked from view by a fence, landscaping or structure.
- E. **Storage of Recreational Vehicles, etc. Regulated.** No person shall store any recreational vehicle on any street right-of-way or within the front setback, including the driveway, or in a side yard if it faces a street, for a period exceeding 96 hours from November 1st through March 31st of each year. Storage of such vehicles in the front setback, or side yard facing a street, may take place on a private hard surface (concrete, asphalt, crushed granite or gravel) parking area from April 1st through October 31st of each year. Recreational vehicles shall include, but not be limited to, boats, canoes, boat and utility trailers, motor homes, campers, personal water vehicles and kayaks. Snowmobiles are subject to the same storage requirements as other recreational vehicles, but may be stored in the front setback, or side yard facing a street, October 1st through April 30th of each year. No person shall store any snowmobile on the street right-of-way or within the front setback, including the driveway, or in a side yard if it faces a street, for a period exceeding 96 hours from May 1st through September 30th of each year.

(Note: The minutes of the July 16, 2007 Village Board Meeting clearly indicate that a "front setback" is the same as a "front yard", as defined in Village Ordinance 10.06, Section I.A., paragraph 5 and more clearly defined in Village Ordinance 17.01, Section I, paragraph 25.)

Section II. ABATEMENT OF PUBLIC NUISANCES

- A. **Enforcement.** It shall be the duty of the Village Building Inspector to enforce those provisions of this chapter that come within the jurisdiction of the office and shall make periodic inspections and inspections upon complaint to insure that such provisions are not violated.
- B. If the Building Inspector shall determine that a public nuisance exists within the Village and that there is a great and eminent danger to the public health, peace and moral decency then enforcement as described in 10.07 Abatement of Public Nuisances shall apply.
- C. If provisions contained in B above do not apply, then the following procedures will apply.
1. Upon receipt of a complaint by a Trustee, Village President or Village Clerk, information on the complaint shall be forwarded to the Building Inspector.
 2. The Building Inspector shall visit the premises and determine if a violation exists.
 3. If in the opinion of the Building Inspector there is a violation, a notice describing the violation will be sent to the owner describing the violation and setting a remediation timeline, generally not to exceed 60 days. Notice may also be done by posting said notice on the premises.
 4. The Building Inspector will do a follow-up visit to the premises at the end of the remediation time to ensure compliance procedures are in place.

5. If the violation is not eliminated or compliance measures taken to provide for timely compliance, the Building Inspector will notify the owner of a follow up visit approximately 10 days later and at that time a service fee of \$20.00 will be assessed to the owner for this follow-up visit.
6. Follow-up visits will be made by the Building Inspector until compliance is attained or measures are initiated to show timely compliance. The Building Inspector will make periodic follow-up visits until compliance is obtained or measures are initiated to show progress toward timely compliance. A \$50.00 service fee will be assessed against the property owner for the fourth visit and again for any subsequent visits until compliance is achieved.
7. Service fees are to be paid to the Building Inspector or Village Clerk within 30 days. In the event the property owner fails to pay this service charge within 30 days, the fee shall be assessed as a special charge levied against the property under Sec. 66.60(16) of Wis. Stats. The Village Clerk will take any steps necessary to collect service fees attached to property tax bills.
8. The Village Clerk, after the expiration of time granted the person given such notice to seek reconsideration or a hearing in the manner hereinafter provided by this ordinance or after a final decision adverse to such person served has been rendered by the Village Board or by a court of competent jurisdiction to which an appeal has been taken, may cause the notice to be recorded in the Office of the Register of Deeds for Portage County, Wisconsin. All subsequent transferees of the premise or premise unit in connection with which a notice has been so recorded shall be deemed to have notice of the violations alleged and shall be liable to all penalties and procedures provided by this ordinance and by applicable rules and regulations issued pursuant thereto to the same degree as was their transferor.

D. Application for Reconsideration.

1. Hearings
 - a. Except as otherwise provided, any person aggrieved by a notice of the Building Inspector issued in connection with any alleged violation of the provisions of this ordinance or of any applicable rules and regulations pursuant thereto may file with the Park Ridge Village Board by presenting said petition to the Village Clerk his/her reasons for contesting the notice or order.
 - b. Such Petition shall be filed within 30 days of receipt of the Building Inspector's notice.
2. Any person aggrieved by the final decision of the Park Ridge Village Board may obtain judicial review by filing in a court of competent jurisdiction within twenty (20) days of the announcement of such decision a petition praying that the decision be set aside in whole or in part. A copy of each petition so filed shall be forthwith transmitted to the Park Ridge Village Board which shall file in a court a record of the proceedings upon which it based its decision. Upon the filing of such record, the court shall affirm, modify, or vacate the decision complained of in whole or in part. The findings of the Park Ridge Village Board with respect to questions of act shall be sustained if supported by substantial evidence on the record, considered as a whole.
3. Where a judicial review of a decision of the Building Inspector is sought when such order originates under Sec. 66.0413 of the Wis. Stats., the statutory procedures shall be adhered to.

E. Abatement in Accordance with State Law. Nothing in this article shall be construed as prohibiting the abatement of public nuisances by the Village of Park Ridge or its officials in accordance with the laws of the State or Village ordinances.

F. Severability. The provisions of any part of this section are severable. If any provision or subsection hereof or the application hereof to any person or circumstances is held invalid, the other provisions, subsections

and applications of such ordinance to other persons or circumstances shall not be affected thereby. It is declared to be the intent of this section that the same would have been adopted had such invalid provisions, if any, not been included herein.

This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Village Board of the Village of Park Ridge on this sixteenth day of September, 2013.